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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
08 APR 14 AM 11: 19
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [signature] DEPUTY

UNITED STATES OF AMERICA, Plaintiff, v. **Salvador Manuel GALLARDO-Vallecillo,** Defendant	Magistrate Docket No. '08 MJ 1131
	COMPLAINT FOR VIOLATION OF: Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **April 11, 2008** within the Southern District of California, defendant, **Salvador Manuel GALLARDO-Vallecillo,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

[signature]
SIGNATURE OF COMPLAINANT
Ismael A. Canto
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **14th** DAY OF **APRIL, 2008**

[signature]
Barbara L. Major
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Salvador Manuel GALLARDO-Vallecillo

PROBABLE CAUSE STATEMENT

I declare under the penalty of perjury that the following statement is true and correct:

On April 11, 2008 Border Patrol Agent J. Jong was performing line watch duties near Tecate, California. At 4:30 PM Agent Jong responded to a sensor alert in the area of the "Emu Farm". The Emu Farm is located approximately 7 miles east of the port of entry at Tecate, California and approximately 1 mile north of the international border with Mexico. This area is commonly used by aliens to further their illegal entry into the United States.

Upon arriving in the area Agent Jong noticed foot sign heading north towards State Route 94. Agent Jong followed the sign until coming upon five individuals hiding in the brush. Agent Jong identified himself as a Border Patrol Agent and queried them as to their immigration status. All including the defendant **Salvador Manuel GALLARDO-Vallecillo** admitted to being citizens and nationals of Mexico illegally present in the United States. At 4:40 PM Agent Jong placed the defendant and others under arrest and transported them to Tecate Processing Center.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **April 10, 2008** through **San Ysidro, California.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his rights as per the Miranda Warning. The defendant understood his rights and agreed to be interviewed without representation. The defendant admits that he entered the United States illegally on April 11, 2008 by jumping over the international border fence. He had entered the United States to seek employment.

Executed on April 12, 2008 at 10:00 a.m.

Irene S. Aguirre
Senior Patrol Agent

On the basis of the facts presented in the probable cause statement consisting of **1** page(s), I find probable cause to believe that the defendant named in this probable cause statement committed the offense on **April 11, 2008,** in violation of Title **8,** United States Code, Section **1326.**

Barbara L. Major
United States Magistrate Judge

4/12/08 at 11:46 am
Date/Time